

O.K. TO ENTER THIS AMENDMENT AFTER FINAL
4/22/08/DaR/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/501,320	Confirmation No. 6124
Applicant	:	M.A. Carlson et al.	
Filed	:	07/13/2004	
TC/A.U.	:	2856	
Examiner	:	David A. Rogers	
Title	:	Method and Apparatus to Detect Genuine or Hoax Contaminants	
Docket No.	:	1813-8124	
Customer No.	:	26085	

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office action of February 19, 2008, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 – 12 (canceled):

Claim 13 (currently amended): A method for rapid screening of parcels to identify parcels likely to contain particles of biological or non-biological contaminants, comprising the steps of:

~~cutting a corner of~~ opening each parcel;

~~shaking and compressing the parcels simultaneously thereby releasing any particles in or on the parcel;~~

creating an air flow over the parcels as the parcels are ~~simultaneously~~ shaken and compressed;

sampling particles in the air flow ~~in real-time~~ to detect whether the parcels are likely to include contaminants ~~airflow contains either a high concentration of particles or particles with suspect characteristics;~~

collecting particles in the air flow with a particulate concentrator equipped with a filter; and

analyzing the filter periodically to provide a second-check of the accuracy of the sampling step;

wherein the filter is provided with a unique identifier corresponding to a group of parcels found to be non-suspect during the sampling step thereby permitting the non-suspect group of parcels to be identified and re-screened if particles of biological or non-biological contaminants are detected during the analyzing the filter step.

Claims 14-19 (canceled)

Claim 20 (previously presented): The method of claim 13, the sampling step comprising the step of utilizing predetermined characteristic signatures of particles.

Claim 21 (previously presented): The method of claim 20, the utilizing predetermined characteristic signatures of particles step comprising at least one of a threshold detection and a Multivariate Gaussian classifier.

Claims 22-24 (canceled)

REMARKS/ARGUMENTS

A. **General:**

1. Claim 13 has been amended to recite the first, second, and third steps thereof as those steps read as originally filed and to incorporate the language from claim 24 which language the Examiner has indicated is directed to allowable subject matter.

2. Claims 1 - 12, 17 - 19, and 22 - 24 have been canceled in this amendment; claims 14-16 were previously canceled.

3. Claims 13, 20 and 21 remain under examination.

B. **§112 Rejections:**

The Examiner has rejected claims 13 and 19 - 24 under 35 USC 112, second paragraph as being indefinite. Specifically, the Examiner states that the term "high concentration" in claim 13 and "high particle counts" in claim 22 render the claims indefinite.

Applicants have deleted the term "high concentration" from claim 13 and have deleted claim 22 thereby obviating this rejection.

C. **§103 Rejection:**

1. The Examiner has rejected claims 13, 18, 19, and 23, under 35 USC §103(a) as being unpatentable over Megerle (US Patent Application Publication 2004/0020264), Akers (US Patent No. 4,275,875), Yoon (US Patent Application Publication 2003/0136203), and Reid et al. (US Patent No. 4,718,268).

Claims 18, 19, and 23 have been canceled thereby obviating this rejection as to them.

As noted above, claim 13 has been amended to incorporate the language from claim 24 which the Examiner has indicated is directed to allowable subject matter thereby obviating this rejection as to claim 13.

2. The Examiner has rejected claims 20-22 under 35 USC 103(a) as being unpatentable over Megerle, Akers, Yoon, and Reid et al. as applied to claim 13 above, and further in view of Schwarz et al. (US Patent Application Publication 2003/0145664).

Applicants have canceled claim 22 thereby obviating this rejection as to it.

Claims 20 and 21 depend from claim 13 and, therefore, under the same rationale discussed above, are also allowable thereby obviating this rejection as to them.

D. Conclusion:

Applicants respectfully request that a timely Notice of Allowance be issued in this case for claims 13, 20 and 21.

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